

JOSHUA BASIN WATER DISTRICT
Minutes of the
REGULAR MEETING OF THE BOARD OF DIRECTORS
June 1, 2011

1. **CALL TO ORDER** 7:00 PM

2. **PLEDGE OF ALLEGIANCE**

3. **DETERMINATION OF QUORUM:**

Bill Long	Present
Mickey Luckman	Present
Michael Luhrs	Present
Mike Reynolds	Present
Gary Wilson	Present

STAFF PRESENT:

Joe Guzzetta, General Manager
Susan Greer, Assistant General Manager/Controller
Terry Spurrier, HR/Administrative Services Supervisor
Keith Faul, GIS Coordinator
Marie Salsberry, Executive Secretary

CONSULTANTS PRESENT:

Gil Granito, District Counsel
Kathleen Radnich, Public Outreach Consultant

GUESTS 26

4. **APPROVAL OF AGENDA**

Discussion resulted in the following actions:

MSC Luhrs/Wilson 2/3 to move Director Luhrs' reports to another place on the agenda. Motion failed
Motion by Director Luhrs; second by Director Wilson to move:

Long	No
Luckman	No
Luhrs	Aye
Reynolds	No
Wilson	Aye

MSC Long/Reynolds 3/2 to approve the agenda as presented. Motion carried.

Long	Aye
Luckman	Aye
Luhrs	No
Reynolds	Aye
Wilson	No

5. **PUBLIC COMMENT**

Barb Delph, a ratepayer commented on behavior and actions of Directors Luhrs and Wilson
Al Marquez of Joshua Tree commented that people in the community should work together rather than being argumentative.

6. **CONSENT CALENDAR**

Director Wilson requested that Item D be reserved for discussion.

MSC Long/Wilson 5/0 to Approve the Minutes of the May 4, 2011 Regular Meeting; to approve the Minutes of the May 18, 2011 Regular Meeting; to approve the Financial Report for April 2011; and to defer Item D of the Consent Calendar for discussion.

7. PROCLAMATION IN HONOR OF THE 75TH ANNIVERSARY OF JOSHUA TREE NATIONAL PARK

President Luckman reported.

MSC Long/Reynolds 5/0 to approve a Proclamation of the Joshua Basin Water District Board of Directors Honoring the 75th Anniversary of Joshua Tree National Park.

8. WATER SUPPLY ASSESSMENT (WSA) FOR CASCADE SOLAR PROJECT

GM Guzzetta reported. After discussion the following action was taken:

MSC Long/Reynolds 5/0 to approve staff recommendation to approve the Water Supply Assessment for the Cascade Solar Project finding that there is sufficient water supply for the anticipated 30 acre-feet of water required during construction and two acre-feet required annually over the next 25 year planning horizon (the amount used by four to six homes).

9. EQUIPMENT FOR CALIFORNIA IRRIGATION MANAGEMENT INFORMATION (CIMIS) STATION

GM Guzzetta reported on the project..

MSC Long/Reynolds 5/0 to approve staff recommendation to approve the purchase of CIMIS equipment from Campbell Scientific, Inc. at a cost of \$6,300, to be reimbursed by Alliance of Water Awareness and Conservation.

10. BILLING STATEMENT FORMAT

GM Guzzetta reported. Discussion ensued and the following action was taken:

MSC Reynolds/Long 4/1 to approve the revised bill format as presented.

Long	Aye
Luckman	Aye
Luhrs	Aye
Reynolds	Aye
Wilson	No

11. APPROVE AGREEMENT WITH MESSNER & HADLEY TO PERFORM 10/11 AUDIT AT A PRICE OF \$23,582 (NO INCREASE FOR THREE YEARS)

Assistant General Manager/Controller Greer reported and the Board discussed options.

MSC 4/1 to approve staff recommendation to authorize agreement with Messner & Hadley to perform the 10/11 audit at a price of \$23,582 (no increase for three years).

Long	Aye
Luckman	Aye
Luhrs	Aye
Reynolds	Aye
Wilson	No

12. BOARD OF DIRECTORS TO AUTHORIZE UPDATED FEE STUDY AT A COST OF \$12,000, PLUS DIRECT EXPENSES ESTIMATED AT \$1,500, PLUS JBWD 10% CONTINGENCY OF \$1,200 FOR A TOTAL NOT TO EXCEED \$14,700

AGM/Controller Greer reported. Director discussion ensued and the following action was taken:

MSC Long/Reynolds 3/2 to approve staff recommendation to authorize Bartle Wells Associates to conduct a fee study at a cost not to exceed \$14,700, including 10% contingency.

Long	Aye
Luckman	Aye
Luhrs	No
Reynolds	Aye
Wilson	No

13. REIMBURSEMENT OF EXPENSES FOR GENERAL MANAGER

GM Guzzetta reported. Following Board discussion action was taken:

MSC Reynolds/Long 3/2 to approve staff recommendation to accept for reimbursement expenses incurred for the General Manager and Board President while conducting District Business for the fiscal year to date totaling \$2,064.34.

Long	Aye
Luckman	Aye
Luhrs	No
Reynolds	Aye
Wilson	No

14. COMMITTEE REPORTS:

- A. **Public Information Committee:** Kathleen Radnich, Public Outreach Consultant, reported on the high efficiency toilet exchange program. The next Public Information Committee is June 20.
- B. **Ad Hoc General Manager Performance Facilitated Review Process:** Vice President Reynolds and Director Long: No report.
- C. **Ad Hoc Pipeline Replacement Funding Committee:** Director Luhrs and Director Wilson: No report.
- D. **Ad Hoc Morongo Pipeline Capacity Post 2022:** Vice President Reynolds and Director Long
Director Long reported that and the Board took the following action:

MSC Long/Reynolds 5/0 to approve the following three alternative policy positions in determining future allocation of *capacity* in the Morongo Pipeline: 1) Allocation of *capacity* in the Morongo Pipeline will be based on the current allocation initially, but adjusted every 5 to 10 years in conjunction with the updating of the Urban Water Management Plan; 2) Allocation of *capacity* in the pipeline will be guaranteed permanently to Morongo Basin agencies collectively but not allocated to individual agencies. The Morongo Basin agencies would split the allocation in the future; 3) Future allocation of *capacity* will be determined by Mojave Water Agency (MWA) since that agency would control the allocation of "water" to the Morongo Basin.

CONSENT CALENDAR ITEM D: BILLING RATE FOR ATTORNEY SERVICES FOR LIEBERT CASSIDY WHITMORE

Gm Guzzetta reported. Following discussion and comments, the following action was taken:

Motion Reynolds/Long 5/0 to approve staff recommendation to authorize increases in the rates for legal services from \$260 per hour to \$300 per hour for Partners, \$235 per hour from to \$260 per hour for Of Counsel, \$210 per hour to \$245 per hour for Associates, and \$95 per hour to \$140 for Paralegals.

15. PROJECT PRIORITY LIST

There was no discussion.

16. PUBLIC COMMENT

Gary Lovelace of Joshua Tree commented negatively on actions and comments made by Directors Wilson and Luhrs.

17. GENERAL MANAGER REPORT

GM Guzzetta reported on the status of the Hi-Desert Medical Center wastewater treatment plant project.

18. DIRECTORS COMMENTS/REPORTS

Director Luhrs requested information on several subjects. He declined to report on the two items that had been included in this meeting's agenda at his request (1: Payments to general manager for car allowance in

violation of district administration code, and 2: Reimbursement to the general manager for Washington DC trip in violation of District Administration Code)

Director Wilson requested that clutter be removed from the back area of the boardroom.

Vice President Reynolds reported on his attendance at the Association of California Water Agencies (ACWA) Spring Conference and the Association of San Bernardino County Special Districts meeting. He commented on the May 18th Board meeting.

Director Luhrs commented on Directors' compensation and the May 18 Board meeting.

Director Wilson stated that he did not request compensation for the May 18th Board meeting.

President Luckman reported on attending Joint Powers Insurance Authority (JPIA) Board meetings and the ACWA Spring Conference.

19. CLOSED SESSION 8:48 PM

Director Luhrs recused himself from the Closed Session Item 1; not for financial reasons. District Counsel Gil Granito reported on SB34. Mr. Granito noted that the Closed Session would be long and no reportable action would be taken and would concern only Item 1.

The Board went to Closed Session at 8:48 pm and returned at 9:48 pm.

1. Closed Session to confer with Legal Counsel on existing litigation pursuant to subdivision (a) of Government Code Section 54956.9. (Re Joshua Basin Water District v. Robert Ellis, San Bernardino Superior Court - Joshua Tree District, Case No. CIVMS 900168).

Director Wilson and Director Luhrs left the meeting following the Closed Session.

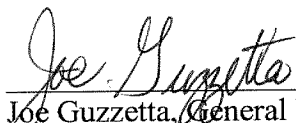
20. REPORT ON CLOSED SESSION ITEMS

District Counsel Granito reported that the Board had met in Closed Session and that no reportable action had been taken during the Closed Session.

21. ADJOURNMENT 9:49 PM

MSC Long/Reynolds 3/0 to adjourn the June 1, 2011 Regular Meeting of the Board of Directors.

Respectfully submitted;



Joe Guzzetta, General Manager

The next Regular Meeting of the Board of Directors is scheduled for Wednesday June 15, 2011 at 7:00 pm.